

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

WILLIE JAMES DANIELS, #118348, )  
Petitioner, )  
v. ) CIVIL ACTION NO. 1:09cv34-TMH  
GARY HETZEL, et al., )  
Respondents. )

## ORDER AND OPINION

On October 21, 2010, the Magistrate Judge filed a Recommendation in this case to which no timely objections have been filed. (Doc. # 12). Upon an independent review of the file in this case and upon consideration of the Recommendation of the Magistrate Judge, it is

ORDERED and ADJUDGED that the Recommendation of the Magistrate Judge be and is hereby ADOPTED and that the petition for habeas corpus relief pursuant to 28 U.S.C. § 2254 is DENIED as time-barred and that this case is DISMISSED with prejudice.

Done this the 10<sup>th</sup> day of March, 2011.

/s/ Truman M. Hobbs

## SENIOR UNITED STATES DISTRICT JUDGE